

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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CHARLES WILLIAMS :
 :
 Plaintiff, : CIVIL ACTION NUMBER:
 :
 v. :
 :
 HARTFORD POLICE DEPT., ET AL : 3:15-CV-933 (AWT)
 :
 Defendants. :
-----X

**ORDER RE MOTION TO DISMISS ON BEHALF OF
THE DEFENDANT HARTFORD POLICE DEPARTMENT**

For the reasons set forth below, Defendant Hartford Police Department's Motion to Dismiss (Doc. No. [50]) is hereby GRANTED. The Clerk shall terminate the Hartford Police Department as a defendant.

The Hartford Police Department is not an independent legal entity. "Because a municipal police department is not an independent legal entity, it is not subject to suit under section 1983." Nicholson v. Lenczewski, 356 F. Supp. 2d 157, 164 (D. Conn. 2005). See also Hasfal v. City of Hartford, No. 3:06CV55 CFD, 2007 WL 2009790, at *3 (D. Conn. July 6, 2007). Under 28 U.S.C. §1915(e)(2)(B)(ii), the court is required to dismiss allegations which fail to state a claim upon which relief may be granted.

A municipality may be sued directly pursuant to 42 U.S.C. § 1983 for its own actions, e.g., its own customs, policies, practices, etc. that constitute an "official municipal policy of some nature." Monell v. Dep't of Soc. Servs. of City of New York, 436 U.S. 658, 691 (1978). Thus, a plaintiff who feels he has been wronged by conduct of the Hartford Police Department could evaluate whether he has a Monell claim, but the proper party would be the City of Hartford, not the Hartford Police Department.

It is so ordered.

Dated this 23rd day of October, 2015 at Hartford, Connecticut.

_____/s/____

Alvin W. Thompson
United States District Judge